

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC. & INDYMAC BANK, F.S.B.,

Plaintiffs,

-against-

OLABELL HIMMEL SAMUEL &
JOHN DOE (said name being fictitious,
it being the intention of plaintiff to designate
any and all occupants of the premises being
foreclosed herein, and any parties,
corporations or entities, if any, having or
claiming an interest or lien upon the
mortgage premises),

Defendants.
-----X

JUDGMENT
06-CV- 3109 (ENV)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ AUG 2 2006 ★

P.A. _____
T.M. _____

A Memorandum and Order of Honorable Eric N. Vitaliano, United States District Judge, having been filed on August 1, 2006, remanding the action to the Supreme Court of the State of New York, Nassau County; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith; and denying *in forma pauperis* status for the purpose of an appeal; it is

ORDERED and ADJUDGED that the action is remanded to the Supreme Court of the State of New York, Nassau County; that pursuant to 28 U.S.C. § 1915(a)(3) any appeal from this order would not be taken in good faith; and that *in forma pauperis* status is denied for the purpose of an appeal.

Dated: Brooklyn, New York
August 01, 2006

ROBERT C. HEINEMANN
Clerk of Court